

ENVIRONMENTAL PROTECTION AGENCY

AGENCY: Environmental Protection Agency (**EPA**).

40 CFR Part 60

Standards of Performance for New Stationary Sources; **Asphalt** Processing and **Asphalt** Roofing Manufacture

[AD-FRL 1803-2]

46 FR 28180

May 26, 1981

ACTION: Proposed rule; amendment and clarification.

SUMMARY: On November 18, 1980, "Standards of Performance for New Stationary Sources: **Asphalt** Processing and **Asphalt** Roofing Manufacture" were proposed in the Federal Register ([45 FR 76404](#)). During the public comment period, clarification was requested regarding the applicability of the standards to **asphalt** processing facilities that prepare blown **asphalts** used for nonroofing purposes. The amendments are being published to clarify the applicability of the proposed standards and to provide an opportunity for comments from processors of nonroofing **asphalts** who may be subject to the amended proposed standards.

This notice also pertains to the Amendment to the Priority List ([45 FR 76427](#)). It clarifies that **asphalt** processing refers to blowing stills and storage tanks for roofing and/or nonroofing **asphalts** that are located at **asphalt** processing plants, petroleum refineries, and **asphalt** roofing plants.

DATES: *Comments:* Comments on this amendment must be received by July 10, 1981.

ADDRESSES: *Comments:* Comments relating to this amendment only should be submitted (with one duplicate copy) to: Central Docket Section (A-130), Attention: Docket No. OAQPS A-79-39. U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

Public Hearing. Persons wishing to request a public hearing on the amendment should notify Ms. Naomi Durkee, Emission Standards and Engineering Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone (919) 541-5631.

Background Information Document. The background information document (BID) for the proposed standards may be obtained from the U.S. EPA Library (MD-35), Research Triangle Park, North Carolina 27711, telephone (919) 541-2777. Please refer to "**Asphalt** Roofing Manufacturing Industry, Background Information for Proposed Standards," EPA-450/3-80-021a.

Docket. A docket, number OAQPS A-79-39, containing information used by EPA in development of the proposed standards, is available for public inspection between 8:00 a.m. and 4:00 p.m. Monday through Friday at EPA's Central Docket Section (A-130), West Tower Lobby, Gallery 1, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Ms. Susan R. Wyatt, Emission Standards and Engineering Division (MD-13), Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone (919) 541-5578.

TEXT:

PUBLIC HEARING: A public hearing will be held, if requested. Persons wishing to request a public hearing must contact EPA by June 9, 1981. If a hearing is requested, an announcement of the

date and place will appear in a separate Federal Register notice.
SUPPLEMENTARY INFORMATION:

Amendments to Proposed Standards

"Standards of Performance for New Stationary Sources: **Asphalt** Processing and **Asphalt** Roofing Manufacture" were proposed in the November 18, 1980, Federal Register ([45 FR 76404](#)). These proposed standards limit particulate emissions from **asphalt** roofing facilities and from two **asphalt** processing facilities: blowing stills and storage tanks. The definition of **asphalt** processing in the proposed regulations referred to the storage and blowing of **asphalt** "for use in the manufacture of **asphalt** roofing products." Blowing stills were defined as equipment "in which air is blown through hot **asphalt** flux to produce different grades of **asphalt** for the manufacture of **asphalt** roofing." The **asphalt** storage tank was defined as a tank storing hot **asphalt** "for roofing manufacture or **asphalt** processing." When considered together, these definitions restrict the applicability of the proposed standards to equipment used to produce or store roofing **asphalts**.

Half of the blown **asphalts** currently being produced is used in the roofing industry.(1-3) The other half includes predominantly those **asphalts** used for paving but also includes **asphalts** used for pipe wrapping, pond liners, and mopping grade **asphalts**. EPA and industry growth projections indicated the necessity for three to seven stills and 21 to about 50 storage tanks respectively, by 1985 to supply the demand for roofing **asphalts**. However, the market for blown nonroofing **asphalts** is not expected to grow in the next five years.(3) Therefore, construction of new stills and storage tanks subject to the proposed standards of performance is expected to take place only to meet the demand for roofing **asphalts**.

Comments received after proposal have indicated that even though growth will occur only due to the increased demand for roofing **asphalts**, the applicability of the proposed standards should include blowing stills and storage tanks that process or store any type of **asphalt**. The same still and storage tank may be used for nonroofing as well as roofing **asphalts**. If the applicability of the standards depended on the eventual use of the product, a still or storage tank could be subject to the regulation on one day (while blowing or storing roofing **asphalt**) but not subject to the regulation on another day (while blowing or storing nonroofing **asphalt**). Even if the same still or storage tank were not used for more than one type of **asphalt**, there could be one unit devoted to roofing **asphalts** and subject to the regulation while another identical unit devoted to nonroofing **asphalts** would not be subject to the regulation. Furthermore, to meet the increased demand for roofing **asphalt**, a manufacturer could increase capacity by constructing new stills or storage tanks, but then limit the use of the new facilities to nonroofing **asphalts** while devoting a larger number of existing facilities to roofing **asphalts**.

The fluxes from which nonroofing blown **asphalts** are prepared may vary in physical characteristics, such as volatility, but such variation also exists with roofing **asphalt** fluxes. Industry supplied information on the range of volatility found among **asphalt** fluxes that are air blown. It was determined that the standard was achievable for all fluxes within this range as noted in the November 18, 1980 Federal Register notice ([45 FR 76410](#)). The size and operating parameters (such as temperature and residence time) of a control device required to achieve the emission limits for the highest volatility fluxes were determined, and costs were calculated accordingly. These costs have been determined to be reasonable for **asphalt** processing plants, petroleum refineries, and **asphalt** roofing plants, the same plants that could have blowing stills used for nonroofing blown **asphalts**. An **asphalt** storage tank containing **asphalt** to be used in roofing manufacture is no different from a storage tank containing **asphalt** that will be used for some other purpose. The number of new stills and storage tanks constructed in the **asphalt** processing and **asphalt** roofing industries remains the same as was projected in the proposed regulations since such construction will be due to growth in the **asphalt** roofing market. Therefore, the environmental, energy, and economic impacts of the proposed standards are not changed as a result of these amendments.

In summary, the same blowing stills and storage tanks are, or may be, used to process or store either nonroofing or roofing **asphalts**, and the emission limits remain achievable independent of the type of **asphalt** blown. The costs and the economic, energy, and environmental impacts projected in the November 18, 1980 Federal Register ([45 FR 76404](#)) apply to all **asphalt** blowing stills and storage tanks regardless of how the **asphalts** will be used. These costs and impacts were determined to be reasonable. EPA has determined that the proposed emission limits for blowing stills and storage tanks used for roofing **asphalts** should apply to blowing stills and storage tanks for any type of **asphalt** except **asphalt** mixtures referred to as cutback and emulsified **asphalts** which are not included in this regulation. These proposed amendments would change the definitions of "**asphalt** processing," "**asphalt** storage tanks," and "blowing still" to include **asphalts** used for any purpose. The amendments would also add definitions for "**asphalt** processing plant" and "**asphalt** roofing plant" to be consistent with the proposed regulation. The regulation refers to the plants where process operations occur rather than to the processes themselves.

Because there may be some **asphalt** processing plants or petroleum refineries blowing and/or storing **asphalts** used for purposes other than roofing, which were not included in the proposed standards but which may be included in the amended proposed standards, the date used to determine if facilities at these locations are subject to the standards is the proposal date of this amendment rather than the proposal date of the standard. A paragraph has been added to the proposed standards to indicate this.

Minor amendments were made to the performance test procedures to clarify the duration of the tests when stills are being used to process nonroofing **asphalts**.

Clarification of the Amendment to the Priority List. The Priority List was amended ([45 FR 76427](#)) to add "**asphalt** processing" to the source category previously listed as "**asphalt** roofing." The amendment was necessary because the processing of **asphalt** for roofing manufacture takes place at petroleum refineries and **asphalt** processing plants as well as at roofing plants, and the process is essentially the same at any of the locations. Since "**asphalt** processing" has been added to the Priority List, no additional changes to the list or to the amendment are necessary; however, the new, broader definition of **asphalt** processing applies to the Priority List source category.

Applicability of Proposed Standards to Storage Tanks. During the public comment period that followed publication of the proposed standards in the Federal Register ([45 FR 76404](#)), several comments were received regarding the applicability of the proposed standards to **asphalt** storage tanks which may exist at petroleum refineries that do not process **asphalt** (i.e., that do not have blowing stills). These tanks are covered by the proposed standards. The revised definitions make this clearer. They also expand the applicability to include storage tanks that store **asphalt** to be used for any purpose, not only roofing products. Cutback **asphalts** (**asphalts** diluted with solvents to reduce viscosity so that **asphalts** can be used at lower temperatures) and emulsified **asphalts** (**asphalts** dispersed in water with an emulsifying agent) are not included in the proposed standards. If **asphalt** is stored at relatively low temperatures and tanks exhibit zero percent opacity without controls, they would meet the proposed standards. Otherwise, controls are available for meeting the proposed standards.

Environmental Energy, and Economic Impacts. The environmental, energy, and economic impacts discussed in the November 18, 1980 Federal Register notice ([45 FR 76404](#)) for the proposed standards are not projected to change as a result of these amendments. These impacts were based on the construction of three to seven new stills and 21 to about 50 new storage tanks to meet the growth in the **asphalt** roofing market. Since there is no growth projected for the use of other blown **asphalt** products, the number of affected facilities remains the same. Changes to existing stills and storage tanks that would qualify as a modification or reconstruction would be very rare. Any increases in capacity would be met by the addition of a new unit or by replacing a small still or storage tank with a new, larger one. Stills and storage tanks used for nonroofing

asphalt may be the same ones used for roofing **asphalt** or they may be additional units. Either way, they will be located at the same locations (**asphalt** processing plants, petroleum refineries, and **asphalt** roofing plants) and will require the same control devices. Since the economic impacts were based on conditions which are applicable to blowing or storing nonroofing **asphalts** as well as roofing **asphalts**, these impacts remain unchanged.

"Major Rule" Determination. Under Executive Order 12291, EPA is required to judge whether a regulation is a "major rule" and therefore subject to certain requirements of the Order. The Agency has determined that this regulation, both as proposed and as amended, would result in none of the adverse economic effects set forth in Section 1 of the Order as grounds for finding a regulation to be a "major rule." Fifth-year annualized costs of the proposed standard would be \$450,000. The product wholesale price could increase about 0.5 percent, which could increase the price for a roof on a typical 3-bedroom house by about \$3.00. If the costs were absorbed, the resulting drop in net profit after taxes could be about 0.4 percent. The Agency has also concluded that this rule is not "major" under either of the other criteria established in the Executive Order. The proposed amendment does not change the economic impacts of the standard. This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

Regulatory Flexibility Analysis Certification. Pursuant to the provisions of [5 U.S.C. 605\(b\)](#), I hereby certify that the attached amendments to the proposed rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. The amendments will not affect any small entities since additional stills and storage tanks used for nonroofing **asphalts** would not exist at these locations.

May 19, 1981.

Walter C. Barber,
Acting Administrator.

References

(1) Background Information for Proposed Standards -- **Asphalt** Roofing Manufacturing Industry, EPA 450/3-80-021a. June 1980, p. 8-26.

(2) Memo to Docket A-79-39, Calculations for Amount of **Asphalt** Blown for Roofing, Paving and All Other Uses. Docket No. A-79-39-IV-B-001.

(3) Letter from V. P. Puzinauskas, the **Asphalt** Institute to R. C. Cooper, MRI. January 1981. Blown **asphalt** products. Docket No. A-79-39-IV-E-004.

It is proposed to amend 40 CFR Part 60 by amending §§ 60.470, 60.471, and 60.474 to read as follows.

1. Section 60.470 (a) and (b) is revised to read as follows:

§ 60.470 Applicability and designation of affected facilities.

(a) The affected facilities to which this subpart applies are saturators and mineral handling and storage facilities at **asphalt** roofing plants; and **asphalt** storage tanks and blowing stills at **asphalt** processing plants, petroleum refineries, and **asphalt** roofing plants.

(b) Any saturator or mineral handling and storage facility under paragraph (a) of this section that commences construction or modification on or after November 18, 1980, is subject to the requirements of this subpart. Any **asphalt** storage tank or blowing still located at an **asphalt** processing plant, petroleum refinery, or **asphalt** roofing plant that processes and/or stores

asphalt used for roofing only or for roofing and other purposes, and that commences construction or modification on or after November 18, 1980, is subject to the requirements of this subpart. Any **asphalt** storage tank or blowing still located at an **asphalt** processing plant, petroleum refinery, or **asphalt** roofing plant that processes and/or stores only nonroofing **asphalts** and that commences construction or modification on or after May 26, 1981 is subject to the requirements of this subpart.

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2. Section 60.471 is revised by changing the definitions of "**asphalt** processing," "asphalt storage tank," and "blowing still" and by adding the definitions of "**asphalt** processing plant" and "**asphalt** roofing plant":

§ 60.741 Definitions.

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"**Asphalt** processing" means the storage and blowing of **asphalt**.

"**Asphalt** processing plant" means a plant which blows **asphalt** for use in the manufacture of **asphalt** products.

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"**Asphalt** roofing plant" means a plant which produces **asphalt** roofing products (shingles, roll roofing, siding, or saturated felt).

"**Asphalt** storage tank" means any tank used to store **asphalt** at an **asphalt** roofing plant, a petroleum refinery, and an **asphalt** processing plant. Storage tanks containing cutback **asphalts** (**asphalts** diluted with solvents to reduce viscosity for low temperature applications) and emulsified **asphalts** (**asphalts** dispersed in water with an emulsifying agent) are not subject to this regulation.

"Blowing still" means the equipment in which air is blown through **asphalt** flux to produce different grades of **asphalt**.

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3. Section 60.474 is amended by revising paragraphs (b) and (e) to read as follows:

§ 60.474 Test methods and procedures.

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(b) For Method 26 the sampling time for each run on a saturator shall be at least 120 minutes, and the sampling volume shall be at least 3 dscm. Method 26 shall be used to measure the emissions from each saturator while the **asphalt** roofing plant is making 106.6-kg (125-lb) **asphalt** shingle if the final product is shingle or mineral-surfaced roll roofing or while the **asphalt** roofing plant is making 6.8-kg (15-lb) saturated felt if the final product is saturated felt or smooth-surfaced roll roofing. Method 26 shall be used to measure emissions from the blowing still for at least 90 minutes or for the duration of the coating blow, whichever is greater. If the blowing still is not used to blow coating **asphalt**, Method 26 shall be used to measure emissions from the blowing still for at least 90 minutes or for the duration of the blow, whichever is greater.

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(e) The production rate of **asphalt** from the blowing still, P[s] (Mg/h), shall be determined by dividing the weight of **asphalt** charged to the still by the time required for the performance test during a blow. The weight of **asphalt** charged to the still shall be determined at the starting temperature of the blow. The weight of **asphalt** shall be converted from the volume measurement as follows:

$$M=Vd/c$$

M=weight of **asphalt** in megagrams

V=volume of **asphalt** in cubic meters

d=density of **asphalt** in kilograms per cubic meter

c=conversion factor 1,000 kilograms per megagram

The density of **asphalt** at any measured temperature is calculated by using the following equation:

$$d=1056.1-0.6176 \times \text{deg.C}$$

The method of measurement shall have an accuracy of +/-10 percent.

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